

REMARKS

Favorable reconsideration in view of the previous amendments and following remarks is respectfully requested.

Claims 1-13, and 15-28 are pending. Currently, claims 13 and 15-28 are under examination. By this Amendment, claims 1-12 are canceled and claim 13 is amended to include the allowable features of claim 14. No new matter has been added.

Applicants appreciate the indication that claims 14 and 27 contain allowable subject matter.

Applicants appreciate the courtesies extended to Applicants' representative during the August 31, 2010 telephone discussion. The substance of the discussion is incorporated into the amendments and remarks herein and constitutes Applicants' record of the discussion.

Applicants respectfully request withdrawal of the finality of the July 1, 2010 Office Action. As stated in MPEP §706.07(a), second or subsequent actions on the merits shall be final, except where the Examiner introduces a new ground of rejection that is neither necessitated by Applicants' amendment of the claims, and are based on information submitted in an information disclosure statement filed during the relevant period.

In Applicants' response filed April 28, 2010, Applicants argued that neither *Solomon* nor *Robertson* disclose a database in which appropriate decoy patterns or respective missile type in respective attack structures are stored which generate a particular decoy pattern as in Applicants' independent claim 13. In the July 1, 2010 Office Action, the Examiner now alleges that these features are disclosed in the

Salzeder publication and the *Dahlberg* publication. The feature of the database including the decoy patterns is not a new feature. Thus, Applicants respectfully request withdrawal of the finality of the July 1, 2010 Office Action.

Applicants note that the Information Disclosure Statement submitted herewith is filed under the assumption that the withdrawal of the finality of the July 1, 2010 Office Action has been granted.

Early and favorable action with respect to this application is respectfully requested.

Should the Examiner have any questions regarding this Amendment or the application in general, he is invited to contact the undersigned at the number provided below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: September 8, 2010

By:

A handwritten signature in dark ink, appearing to read 'M. Britton', is written over a horizontal line.

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